

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OMAR HARHARA
and RAWEYA HARHARA,

Plaintiffs,

Case No. 07-CV-12650

v.

HORMIDAS NORVILLE
and 127529 ONTARIO, INC.,

Defendants.

**QUALIFIED PROTECTIVE ORDER AND AUTHORIZATION
PURSUANT TO HEALTH INSURANCE PORTABILITY
AND ACCOUNTABILITY ACT ("HIPAA")**

Pursuant to the court's September 18, 2007 order granting Defendants Hormidas Norville and 127529 Ontario, Inc.'s "Motion for Qualified Protective Order

Pursuant to HIPAA,"

IT IS ORDERED that this court authorizes the disclosure and sharing of Plaintiff Omar Harhara's "personal health information" protected under the Health Insurance Portability and Accountability Act ("HIPAA"), 42 U.S.C. §1320d *et seq.*, and the regulations promulgated thereunder, 45 C.F.R. §§160, 164 *et seq.*, pursuant to the terms and conditions contained in this order.

IT IS FURTHER ORDERED that Plaintiff Omar Harhara's health care providers, including, but not limited to, examining, testing and/or treating doctors and other medical personnel may provide copies of Plaintiff Omar Harhara's medical records that are relevant to this lawsuit to counsel for Defendants, and to discuss his medical conditions, including past, present and future treatment, relevant to this suit with counsel for Defendants.

IT IS FURTHER ORDERED that this order does not compel any health care provider to participate in an interview or meeting against his or her wishes, nor to occur outside the presence of the health care provider's attorney if he or she wishes to have one present. The purpose of the interview or meeting conducted by attorneys for Defendants Norville Hormidas and 127529 Ontario, Inc. and/or other employees of counsel for Defendants is to assist Defendants in their defense of the above-referenced action brought by Omar Harhara. The meeting or interview is not at the request of Omar Harhara; however, Omar and his counsel are on notice of the existence of this order.

IT IS FURTHER ORDERED that all covered entities under HIPAA, including but not limited to the health care providers, examining, testing and/or treating doctors and other medical personnel of Omar Harhara are authorized and permitted to disclose and/or share Omar Harhara's personal health information relevant to this suit to the attorneys or agents of Norville Hormidas and 127529 Ontario, Inc. The personal health information of Omar Harhara may be provided orally in discussions with Norville Hormidas and 127529 Ontario, Inc.'s attorneys and/or agents, or in written, visual or other recorded form. The consent of or notice to Omar Harhara and/or Omar Harhara's attorneys is not required prior to the disclosure of this information by any health care provider.

IT IS FURTHER ORDERED that counsel for Defendants is prohibited from using or disclosing the protected health information for any purpose other than this action, *Harhara, et al. v. Norville Hormidas, et al.*, Case No. 07-12650. Upon resolution of this action, counsel for Defendants who receive written or otherwise recorded protected health care

information of Omar Harhara, shall destroy or return the information (including all copies made) to the health care provider.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 2, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 2, 2007, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522